

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STUDIO SIX PRODUCTIONS, LTD., :
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Plaintiff, :
 :
v. :
 :
SRBUHI SARGSYAN, :
 :
Defendant. :
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MEMORANDUM & ORDER
19-CV-2685 (WFK) (MMH)

WILLIAM F. KUNTZ, II, United States District Judge:

On September 26, 2024, the Honorable Magistrate Judge Marcia M. Henry issued a Report and Recommendation (“R&R”) on the reasonableness of the proposed monetary award. ECF No. 63. The R&R provides a comprehensive description of the facts of this case and therefore the Court will not recite them. *See id.* at 2-6. On October 10, 2024, Plaintiff timely filed objections to the R&R. ECF No. 65.

In reviewing a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Parties must serve and file any written objections to the proposed findings and recommendations within fourteen days of being served with a copy of such proposed findings and recommendations. *Id.* A district judge “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* Objections to a report and recommendation must be “specific and are to address only those portions of the proposed findings to which the party objects.” *Phillips v. Reed Grp., Ltd.*, 955 F. Supp. 2d 201, 211 (S.D.N.Y. 2013) (Owen, J.) (internal quotation marks and citation omitted). “Where ‘the objecting party makes only conclusory or general objections, or simply reiterates the original arguments, the Court will

review the report and recommendation strictly for clear error.” *Norman v. Metro. Transp. Auth.*, 13-CV-1183, 2014 WL 4628848, at *1 (E.D.N.Y. Sept. 15, 2014) (Matsumoto, J.) (quoting *Zaretsky v. Maxi-Aids, Inc.*, 10-CV-3771, 2012 WL 2345181, at *1 (E.D.N.Y. June 18, 2012) (Feuerstein, J.)).

Plaintiff’s scattershot submission includes objections to: various parts of the R&R’s description of the case’s procedural history (Objection Numbers 1, 5, 6, and 7); a portion of the R&R’s statement of facts (Objection Numbers 2); this Court’s underlying referral to Magistrate Judge Henry (Objection Number 3); the R&R’s recommended denial of Plaintiff’s requested financial award (Objection Number 4); the R&R’s characterization, in a footnote, of a letter filed by Plaintiff (Objection Number 8); the R&R’s lack of mention of a concert promotion with Defendant in California (Objection Number 9); and the R&R’s conclusion finding Plaintiff’s counsel potentially engaged in overbilling (Objection Number 10). *See* ECF No. 65, 5-14. The Court has carefully considered Plaintiff’s objections and conducted a *de novo* review of the objected to portions of the R&R, as well as the underlying pleadings and factual record upon which the R&R is based. Plaintiff’s objections range from mischaracterizing irrelevant minutiae to unpersuasive claims about the R&R’s conclusions on the financial award and fees.¹ The Court finds Plaintiff’s objections unconvincing. The Court fully concurs with Judge Henry’s reasoned analysis and conclusions.

¹ For example, Plaintiff argues the R&R misstates the length of one of Plaintiff’s letter filings as one page, when, according to Plaintiff, it was six pages long. ECF No. 65 at 13. Plaintiff’s quibble with page lengths is factually incorrect and misses the point made by Judge Henry. The R&R accurately describes “a one-page letter,” which attached exhibits totaling five pages in length. *See* R&R at 6 (referencing ECF No. 57). The issue with Plaintiff’s letter was not its length *per se* but, as the R&R states, the fact Plaintiff did not identify in the letter the source of claimed damages, did not show a detailed calculation, and included speculative estimates of lost profits. *See* R&R at 9-13.

Therefore, the Court DENIES Plaintiff's objections, ECF No. 65, and ADOPTS the R&R, ECF No. 63, in its entirety. Specifically, as recommended in the R&R, the Court denies Plaintiff's requested damages of \$538,350.00 and grants Plaintiff \$41,895.00 in attorneys' fees and \$439.40 in costs.

A copy of this Order is being served on Plaintiff via ECF. Plaintiff shall serve a copy of this Order to Defendant Srbuhi Sargsyan via e-mail and to her known mailing addresses and shall file proof of service by October 25, 2024.

SO ORDERED.

s/ WFK

HON. WILLIAM F. KUNTZ, II
UNITED STATES DISTRICT JUDGE

Dated: October 23, 2024
Brooklyn, New York